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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

10 3 FEB 2004

Mr. Jim Hull, Director
Water Pollution Control Program
Water Protection and Soil Conservation Division
Missouri Department of Natural Resources
P.O. Box 176
Jefferson City, Missouri 65102

Dear Mr. Hull:

Re: Approval of McDaniel Lake TMDL

This letter responds to the submission from the Missouri Department of Natural Resources (MDNR) dated December 30, 2003, of the McDaniel Lake Total Maximum Daily Load (TMDL) document which contains a TMDL for nutrients (algae). McDaniel Lake is identified on the 2002 Missouri §303(d) list as impaired as a result of nutrients. Allocations are described through the use of surrogate targets for chlorophyll-a in the TMDL document to address this impairment.

The Environmental Protection Agency (EPA) has completed its review of this TMDL with supporting documentation and information. By this letter, EPA approves the submitted TMDL for McDaniel Lake. Enclosed with this letter is a Region 7 TMDL Review Form which summarizes the rationale for EPA's approval of the TMDL. The EPA believes the separate elements of the TMDL described in the enclosed form adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

EPA is currently in consultation under Section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service regarding this TMDL. While EPA is approving this TMDL, at the present time, EPA may decide that changes to the TMDL are warranted based upon the results of the consultation when it is completed.

In regards to the request that EPA remove Fellows Lake from the Missouri 2002 §303(d) list: the de-listing of Fellows Lake, as well as any other water body de-listing action, would need to be included in Missouri's submission of the 2004 §303(d) list. EPA relies on each State to make these determinations during their §303(d) listing process, and provide EPA the justifications for these actions to be included with the submission of the §303(d) list to EPA for review and approval.

EPA appreciates the thoughtful effort that MDNR has put into this TMDL. EPA will continue to cooperate with and assist, as appropriate, in future efforts by MDNR to develop the remaining TMDLs.

Sincerely,

A handwritten signature in black ink, appearing to read "Leo J. Alderman", written over a horizontal line.

Leo J. Alderman
Director

Water, Wetlands, and Pesticides Division

Enclosure

cc: Ann Crawford, TMDL Coordinator, MO Dept of Natural Resources, Jefferson City, MO